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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/688,544	10/17/2003	Neil P. Adams	555255012606	1135

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11/05/2007

EXAMINER
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VU, VIET DUY

ART UNIT	PAPER NUMBER
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2154

MAIL DATE	DELIVERY MODE
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11/05/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/688,544

Applicant(s)

ADAMS ET AL.

Examiner

Viet Vu

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 21 September 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,2,5,7-11,13-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 33 is/are allowed.
- 6) ☒ Claim(s) 1,2,5,7-11,13-16 and 18-32 is/are rejected.
- 7) ☒ Claim(s) 17 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_

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**Art Rejections:**

1. The text of 35 U.S.C. 103(a) cited in the previous office action is hereby incorporated by reference.

2. Claims 1-2, 5, 7-11, 13-16 and 18-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Goldberg, U.S. pat. No. 7,209,544.

Per claims 1-2, 5, 15 and 19, Goldberg discloses a method of processing outgoing messages comprising:

a) determining/parsing one or more message fields including a destination field of an outgoing message (see col 3, lines 52-59);

b) retrieving/generating a message setting comprising text string describing a message setting based upon the determined destination field, e.g., adding a "cc:" list (see col 4, lines 39-45);

c) transmitting the outgoing message based at least in part upon the retrieved message settings (col 3, lines 19-23).

Goldberg also teaches retrieving a plurality of message settings including indication for encryption or digital signature (see col 4, lines 2-22).

Goldberg does not explicitly teach in the preferred embodiment performing the mail processing method on a mobile

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device. Goldberg however teaches that any conventional computing devices including a mobile device can be used to implement the invention (see col 2, lines 35-62).

It would have been obvious to one of ordinary skill in the art at the time of the invention to utilize any conventional computing devices including a mobile device to practice the invention (see col 2, lines 35-62).

Per claims 7-11, Goldberg also teaches:

- c) displaying the message setting text on the outgoing message compose screen (col 4, lines 24-48);
- d) enabling the user to modify a field of the outgoing message to indicate a change in message setting wherein the modified field of the outgoing message does not affect message setting of subsequently composed outgoing message (see col 4, lines 54-61).

Per claim 13-14, it is noted that a conventional computing device would include at least a storage for storing message settings and for processing messages.

Per claims 16 and 18, Goldberg teaches prompting user to modify text strings deemed to be undesired or conflicted (see col 4, lines 54-61).

Claims 20-22 and 26-32 are similar in scope as that of claims 1-2, 5, 7-11, 13-16 and 18-19.

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Per claims 23-25, Goldberg does not explicitly teach using a touch sensitive screen or auditory entry device. An official notice is taken that such use of touch sensitive screen and auditory entry device is well known in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to utilize any known input/output devices including touch sensitive and/or auditory entry device in Goldberg because it would have enabled practicing Goldberg's invention.

**Allowable Subject Matter:**

3. Claim 17 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claim 33 is allowed over prior art of record.

**Response to Amendment:**

5. Applicant's arguments filed on September 21, 2007 with respect to claims 1-2, 5, 7-11, 13-16 and 18-32 have been fully considered but they are not deemed persuasive.

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Applicant alleges that Goldberg fails to teach or render the invention obvious because Goldberg does not teach automatically retrieving security settings such as encryption and digital signing based upon determined recipient of the outgoing message.

The examiner disagrees. The examiner is unable to find the alleged limitation in the present claims requiring that a security setting is retrieved based upon a determined recipient. On the contrary, the present claims only specify that a message setting is retrieved based upon determined recipient wherein the message setting comprises a plurality of settings including indication for encryption or digital signing. Since Goldberg teaches retrieving message settings based upon recipient (see col 4, lines 39-45) and that message settings also comprises security settings (see col 4, lines 2-22), it is submitted that Goldberg's teachings collectively meet the claim limitations.

**Conclusion:**

6. Applicant's amendment necessitated the new grounds of rejection. Accordingly, **THIS ACTION IS MADE FINAL**. See M.P.E.P. § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

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A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Viet Vu whose telephone number is 571-272-3977. The examiner can normally be reached on Monday through Friday from 7:00am to 4:00pm. The Group general information number is 571-272-2100. The Group fax number is 571-273-8300.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn, can be reached on 571-272-1915.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



VIET D. VU  
PRIMARY EXAMINER

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10/31/07